

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SHAVELLE L. SCOTT,
Plaintiff,

ORDER
14-CV-6489

v.

DAVID V. COLE, et al.,
Defendants.

Currently pending before the Court is defendants' motion to compel discovery. See Docket # 41. Defendants state that plaintiff has not responded to written interrogatories or a request for production of documents, and failed to appear for two scheduled depositions. See Decl. of Matthew J. Rosno (Docket # 41-1) at 2-3. Pro se plaintiff responded to the instant motion stating that his complaint explains his claims, and that without an attorney he does not "know how to go about discovery without any thing to discover." See Response in Opposition (Docket # 43). The Court having held a teleconference with pro se plaintiff and counsel for the defendants on January 27, 2017, and with the agreement of both parties, it is

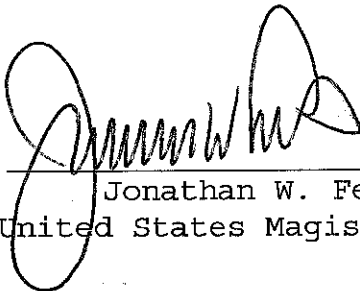
ORDERED that plaintiff shall appear to be deposed on Tuesday, February 21, 2017 at 10:00 A.M. at 2000 Five Star Bank Plaza, 100 Chestnut Street # 2000, Rochester, NY 14604. Defense

counsel shall serve a Notice of Deposition on plaintiff at least fifteen (15) days prior to the deposition; and it is further

ORDERED that the parties shall submit to the Court a Stipulated Amended Scheduling Order following the deposition.

Based on the above agreement between the parties, defendant's motion to compel discovery (docket # 41) is deemed resolved and moot.

SO ORDERED.



Jonathan W. Feldman
United States Magistrate Judge

Dated: January 27, 2017
Rochester, New York